

## **REMARKS**

Claims 1-15 stand rejected under 35 U.S.C. §103 as being unpatentable over United States Patent Application Publication No. 2004/0131183 to Sako. Applicant respectfully traverses this rejection.

As a preliminary matter, Applicant notes the Examiner indicated that Claims 1-21 were rejected under the Sako reference. However, since Claims 1-15 are the only claims pending in this application, Applicant has treated this as an obvious typographical error, and will respond as though only Claims 1-15 were rejected under Sako.

Applicant respectfully submits that the Sako reference fails to disclose or suggest all of the claimed features of the present invention. More specifically, the Sako reference fails to disclose or suggest a magnetic disk apparatus that includes, *inter alia*, “a cipher key change unit which changes the cipher key used for decoding the data stored in the record medium,” as defined in independent Claim 1. Similarly, the Sako reference also fails to disclose or suggest the claimed “cipher key change step of changing the cipher key used in the encoding/recording step,” as defined in independent Claims 12 and 14.

In the present invention of independent Claims 1, 12 and 14, the cipher key used for encryption of the storage data is changed. By changing the cipher key that corresponds to data that has already been stored, it makes it impossible to decipher the stored data. Such a change in the cipher key is used, for example, when discarding or re-selling a computer in order to prevent a new user from accessing the previous owner’s data, while still allowing the recording medium to be used by the new user.

In contrast, the Sato reference fails to disclose or suggest such a changing of the cipher key that corresponds to stored data. Instead, the Sako reference merely refers to a method of copying enciphered data. The Sako reference establishes as a prerequisite that data can be read out from the storage medium, without introducing the concept of cancelling the data. Changing the cipher key of stored data means that it is no longer possible to decipher and copy the data. Thus a configuration that makes it impossible to decipher and copy the stored data is contrary to the teaching of Sato. Accordingly, for at least these reasons, Applicants respectfully request the withdrawal of this §103 rejection of independent Claims 1, 12 and 14 and associated dependent Claims 2-11, 13 and 15.

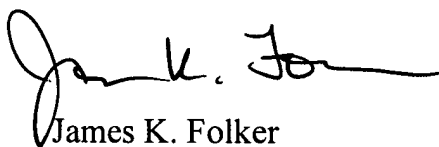
Further, Applicant also separately traverses dependent Claims 5, 13 and 15 because the Sako reference also fails to disclose or suggest that the cipher key is changed in response to a command for discarding all of the data residing in a user recording area of the record medium. In the Office Action, the Examiner referred to paragraph [0028] of the Sako reference as allegedly disclosing this feature. However, this paragraph of the Sato reference does not mention anything about discarding all of the data in the user recording area. Nor does it mention changing the cipher key after receiving a command to discard all of the data in the user recording area. Instead, this section of the Sato reference merely discusses outputting encrypted contents data using one of two different cipher keys, depending upon the on/off state of switching circuits 27 and 28. Thus, all of the claimed features are not disclosed or suggested in the Sako reference. Accordingly, for this additional reason,

Applicant respectfully requests the withdrawal of this §103 rejection of dependent Claims 5, 13 and 15.

For all of the above reasons, Applicant requests reconsideration and allowance of the claimed invention. Should the Examiner be of the opinion that a telephone conference would aid in the prosecution of the application, or that outstanding issues exist, the Examiner is invited to contact the undersigned attorney.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By   
James K. Folker  
Registration No. 37,538

February 15, 2008

Suite 2500  
300 South Wacker Drive  
Chicago, Illinois 60606  
(312) 360-0080

Customer No. 24978